

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GOLDEN ENTERTAINMENT, INC.,

Case No. 2:21-cv-00969-APG-EJY

Plaintiff,

ORDER

v.

FACTORY MUTUAL INSURANCE
COMPANY,

Defendant.

Pending before the Court is the Joint Proposed Discovery Plan and Scheduling Order (Special Scheduling Review Requested). ECF No. 45. The proposed Plan and Order essentially seeks to stay discovery during the pendency of several motions including a Motion to Remand filed by Plaintiff, a Motion to Stay filed by Plaintiff, and a Motion to Dismiss filed by Defendant.

Courts have broad discretionary power to control discovery. *See Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). The status of this case warrants a stay of discovery at this time. The number and type of motions pending create substantial uncertainty regarding the future of this case. Thus, the Court exercises its powers, *sua sponte*, and will stay discovery (with the exception of the exchange of initial disclosures) as stated below.

Accordingly, IT IS HEREBY ORDERED that the Joint Proposed Discovery Plan and Scheduling Order (ECF No. 45) is DENIED without prejudice.

IT IS FURTHER ORDERED that discovery is stayed in this matter (with the exception of the exchange of initial disclosures).

IT IS FURTHER ORDERED that if the Motion to Remand is denied, and the Motion to Dismiss is simultaneously denied in whole or in part, or granted in whole or in part with leave to amend, the parties shall, **within ten (10) days of such order**, file a proposed discovery plan and scheduling order compliant with the Local Rule.

1 IT IS FURTHER ORDERED that if the Motion to Remand is denied, but the Motion to
2 Dismiss remains pending, the parties shall file a joint status report **within five (5) days of such**
3 **order**. The joint status report shall identify why, if at all, discovery should continue to be stayed
4 addressing the standard for a stay of discovery during the pendency of a dispositive motion.

5
6 Dated this 17th day of August, 2021.

7
8 
9 ELAYNA J. YOUCHAK
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28